



**Service of Process
Transmittal**

03/23/2010

CT Log Number 516351544



TO: Byron L Woolley
Simpson, Woolley & McConachie, LLP
700 The Quadrangle, 2828 Routh Street
Dallas, TX 75201-

RE: Process Served in Missouri

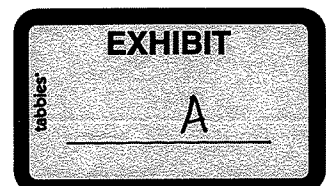
FOR: LINCOLN PROPERTY COMPANY (Domestic State: TX)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Joyce O. Hill, Pltf. vs. Lincoln Property Company, etc., Dft.
DOCUMENT(S) SERVED: Summons, Petition, Notice, Consent Form
COURT/AGENCY: 11th Judicial Circuit Court, St. Charles County, MO
Case # 1011CV02270
NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 4/18/07
ON WHOM PROCESS WAS SERVED: C T Corporation System, Clayton, MO
DATE AND HOUR OF SERVICE: By Process Server on 03/23/2010 at 09:15
APPEARANCE OR ANSWER DUE: Within 30 days after service, exclusive of date of service
ATTORNEY(S) / SENDER(S): Leland C Smith II
P O Box 1380
1551 Wall St
Ste 210
Saint Charles, MO 63302
636-947-7727
ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day , 790207775152
CC Recipient(s)
Greg Courtwright, via Regular Mail
SIGNED: C T Corporation System
PER: Meghan Saffell
ADDRESS: 120 South Central Avenue
Suite 400
Clayton, MO 63105
TELEPHONE: 314-863-5545

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IN THE 11TH JUDICIAL CIRCUIT COURT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: LUCY D RAUCH	Case Number: 1011-CV02270
Plaintiff/Petitioner: JOYCE O HILL	Plaintiff's/Petitioner's Attorney/Address LELAND C SMITH II P O BOX 1380 1551 WALL ST STE 210 SAINT CHARLES, MO 63302
Defendant/Respondent: LINCOLN PROPERTY COMPANY DBA: SANDLEWOOD CREEK APARTMENTS	Court Address: 300 N 2nd SAINT CHARLES, MO 63301
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: LINCOLN PROPERTY COMPANY

Alias:

DBA: SANDLEWOOD CREEK APARTMENTS

R/A: CT CORPORATION
120 SOUTH CENTRAL AVE
CLAYTON, MO 63105

COURT SEAL OF



ST. CHARLES COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

March 15, 2010
DateDEPUTY CLERK
Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____ (address)

Served at _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

FILED

MAR 11 2010

JUDY ZERR
CIRCUIT CLERK
ST. CHARLES CO.

IN THE CIRCUIT COURT OF ST. CHARLES COUNTY, MISSOURI
Circuit Judge Division

JOYCE O. HILL

Plaintiff,

VS.

LINCOLN PROPERTY COMPANY,
d/b/a Sandalwood Creek Apartments

Serve at: Registered Agent:
CT Corporation
120 SOUTH CENTRAL AVE
Clayton, MO 63105

Defendant.

) Cause No.

1011 - 000 22 75

) Division No.

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PETITION FOR BODILY INJURY – LANDOWNER LIABILITY

Comes now Plaintiff, and for her cause of action herein states to the Court as follows:

1. Plaintiff is a resident of St. Charles County, Missouri.
2. Defendant is a Texas corporation, authorized and existing pursuant to the laws of the State of Texas, authorized to do business as a foreign corporation in the State of Missouri and currently doing business in St. Charles County as Sandalwood Creek Apartments.
3. That Plaintiff was a tenant at the apartment complex owned by the Defendant, residing in Unit 4-C San Miguel Drive, St. Charles, MO 63303.

4. That on the 18th day of April, 2007, Plaintiff, while in her apartment, was caused to trip on an area of the carpet in the passageway between her bedroom and the living room area.

5. That the area of carpet upon which Plaintiff tripped was raised and constituted a dangerous condition upon the property of the Plaintiff.

6. That the Defendant knew or should have known of the dangerous condition of the property to have previously repaired the condition, but Defendant failed to do so by and through its agents, servants or employees.

7. That the defective condition resulted from the placement of a board underneath the carpet at the threshold of the entryway from the hallway into the living room.

8. As a direct result of the fall of the Plaintiff, Plaintiff sustained bodily injury in that the muscles, ligaments, tendons and soft tissues of her right ankle were bruised, contused, sprained and strained. Further, Plaintiff sustained a fracture of the right cuboid.

9. That Plaintiff suffered pain and suffering at the time of the fall, from and since the fall, and will be caused to suffer in the future as a result of her fall.

10. Additionally, Plaintiff has been caused to lose wages and income as a result of her injuries.

11. That Plaintiff's injuries are permanent.

WHEREFORE, Plaintiff prays for judgment against the Defendant for such sums as will adequately and justly compensate Plaintiff for her damages sustained as a result of the negligence of the Defendant, by and through its agents, servants or employees, and for damages which she is reasonably expected to suffer in the future as a result of her injuries,

for Court costs and such other and further relief to the Court seems just and proper in the premises.



Leland C. Smith II #28200
Attorney for Plaintiff
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St. Charles, MO 63302
Phone: (636) 947-7727
Facsimile: (636) 947-3393